

AGENDA: April 22, 2003

4.8

CATEGORY: Consent

DEPT.: Police

TITLE: Carnival Permits and Amplified Sound Permit
at St. Joseph School—May 16, 2003 through
May 18, 2003

RECOMMENDATION

1. Approve the application of St. Joseph Church to conduct a carnival in the parking lot next to St. Joseph School from Friday, May 16, 2003, through Sunday, May 18, 2003.
2. Approve the operation of a sound amplification device by St. Joseph Church at their carnival from Friday, May 16, 2003, through Sunday, May 18, 2003, under conditions as specified.

FISCAL IMPACT

The total estimated cost for Police services, Fire services and carnival permit is \$4,650, all fees to be paid by applicant.

BACKGROUND AND ANALYSIS

As set forth in Section 18.31 of the City Code, applications to conduct a carnival must be approved by the City Council. The St. Joseph Church has properly completed the application to conduct a carnival, will provide a certificate of insurance and has provided a site plan for the carnival setup on the school site. The Funtastic Shows Company, which will provide approximately 10 rides and various games, has established a good reputation while operating carnivals in the City of Mountain View in past years. St. Joseph Church has successfully operated this carnival at this site since 1987. The applicant has agreed to provide uniform Police staffing for security during the hours of operation. The level of Police staffing shall be determined by the Police Chief or his designee.

There will be amplified music at the event, necessitating a permit pursuant to City Code Section 3.17.2, subject to the conditions listed herein.

CONDITIONS OF OPERATION

Violation of any of the conditions listed herein will result in the revocation of permit authority by any on-duty Mountain View Police Officer and cessation of the event.

1. Prior to operation, all mechanical amusement rides must be inspected by our representative to ensure that they bear valid certification stickers issued by the State Division of Industrial Safety. Any device not bearing such a certification sticker shall not be operated and shall immediately be removed from the premises.

2. Any game, contest or event deemed by the Mountain View Police Department to be a game of chance shall be immediately closed and not operated, and its operators may be subject to prosecution.
3. The applicant shall contract for security with the Mountain View Police Department to provide uniform Police staffing for security during hours of operation. The level of Police staffing shall be determined by the Police Chief or his designee.
4. The applicant agrees to provide trash receptacles at the entrance and exits to the carnival site to minimize litter.
5. The location of any sound amplification device(s) shall be confined to the premises of St. Joseph School and shall be stationary.
6. Sound amplification shall be restricted to the hours of 5:00 p.m. to 10:00 p.m. on Friday, May 16, 2003; 12:00 noon to 10:00 p.m. on Saturday, May 17, 2003; and 12:00 noon to 7:00 p.m. on Sunday, May 18, 2003.
7. Decibel level of the amplification shall be subject to reduction upon the request of any on-duty Mountain View Police Officer.
8. The applicant shall follow all legal directions requested by any on-duty Mountain View Police Officer, including the temporary or complete cessation of any or all components of the event if, in the Police Officer's judgment, the cessation is necessary to ensure public safety.

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9. The hours of operation shall be restricted as follows:

- Wednesday, May 14 (setup hours) 12:00 noon to 8:00 p.m.
- Thursday, May 15 (setup hours) 8:00 a.m. to 10:00 p.m.
- Friday, May 16 (hours of operation) 4:00 p.m. to 11:00 p.m.
- Saturday, May 17 (hours of operation) 10:00 a.m. to 11:00 p.m.
- Sunday, May 18 (hours of operation) 11:00 a.m. to 8:00 p.m.
- Monday May 19 (takedown hours) 8:00 a.m. to 3:00 p.m.

PUBLIC NOTICING—Agenda posting.

Prepared by:

Approved by:

Keith Plamondon
Police Sergeant

Scott S. G. Vermeer
Police Chief

Kevin C. Duggan
City Manager

KP/MP/6/CAM
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